

53. The process of claim 31 wherein:

said inserting the device into the heart comprises inserting the distal end of the catheter into a chamber of the heart, with said catheter supporting the device at a distal end thereof.

54. The process of claim 53 further including:

before causing the element to penetrate tissue inside the heart, using the catheter to position the element at a site selected for penetration.

55. The process of claim 53 further including:

after causing the element to penetrate tissue inside the heart, removing the catheter to leave the element implanted in the tissue.

REMARKS


This preliminary amendment accompanies a response to a "Notice to Filing Missing Parts of Nonprovisional Application," mailed June 3, 2002. Also accompanying the response is a copy of the reissue specification in double-column format pursuant to 37 C.F.R. 1.173(a)(1).

This substitute preliminary amendment is provided in the format of a "separate amendment paper" pursuant to 37 C.F.R. 1.173(b). As to content, this amendment confirms the changes intended by the preliminary amendment filed December 11, 2001 as part of this application. In addition, this amendment introduces dependent claims 32-55.

The applicant respectfully requests entry of the foregoing amendment and consideration of claims 27-31 on the merits.

Respectfully submitted,
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CERTIFICATE OF MAILING

Pursuant to 37 C.F.R. 1.8, I hereby certify that this Substitute Preliminary Amendment is being deposited with the U.S. Postal Service by First Class Mail, postage prepaid, in an enveloped addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date of deposit indicated below.

Date of Deposit: August 5, 2002



Geraldyn M. Vita

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